IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTIION

Writ Petition No. 469 of 2007

Namdev Gopala Kolekar ..Petitioner

vs.

Shri Bhau Gopala Kolekar ..Respondent

Shri U.P.Warunjikar for petitioner
Shri Madhav Jamdar for respondent no.1
Shri S.K.Chinchalikar, A.G.P. for respondent no.2.

CORAM: S.C.DHARMADHIKARI J.
30th **NOVEMBER, 2007**

P.C.

1. The revisional order under challenge does not require interference at this stage. However, the order of 15th March, 2004 passed by this Court in Civil Revision Application No.1024 of 2001 amply clarifies the matter. The Execution Application is still pending. The Misc.Application is not held to be not maintainable nor has this Court held that the decree is nullity or unenforceable or inexecutable in law. In such circumstances, as and when appropriate orders are passed in favour of the present petitioner in execution proceedings, he can always apply to the revenue authorities and revenue authorities are bound to take cognisance of such orders and directions

irrespective of Additional Commissioner’s order under challenge. Petition disposed of. No costs.

‘**(S.C.DHARMADHIKARI J.)**